

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

DONNELL KEARNEY,  
Plaintiff,

v.

BRENT A. HOWARD in his  
official and individual capacity  
as an officer of the Raleigh City  
Police Department,  
Defendant.

**JUDGMENT**

No. 5:08-CV-156-H

**Decision by Court.**

**This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for consideration of defendant's motion for summary judgment.**

**IT IS ORDERED, ADJUDGED AND DECREED the court grants the defendant's motion for summary judgment and this case is closed.**

This Judgment Filed and Entered on January 20, 2011 with service on:

Donnell Kearney, (via U.S. Mail), #51654-056, Federal Transfer Center, P.O. Box 898801,  
Oklahoma City, OK 73189-8801 and #51654-056, Pollock-USP, P.O. Box 2099 (3-217) P  
Custody, Pollock, LA 71467-2099  
Hunt K. Choi (via cm/ecf Notice of Electronic Filing)

Date: January 20, 2011

DENNIS P. IAVARONE, CLERK  
/s/ Delsia Heath  
(By): Delsia Heath, Deputy Clerk

